

REMARKS/ARGUMENTS:

Claims 1-7 and 10-20 were rejected under 35 U.S.C. §102(a) as being anticipated by the publication by Aaron Wills of Curtin University entitled Development and Test of Sensor-Aided Microcontroller Based Irrigation System with Web Browser Interface which was published on October 25, 2002. (The examiner indicates that Fung is the author of the reference. Inspection by the applicant has revealed that Aaron Wills is the author of the reference.) The examiner objected to claims 8 and 9 for being dependent on a rejected base claim 7 but also indicated that claims 8 and 9 would be allowable if rewritten in independent form including all of the limitations of claim 7.

35 U.S.C. §102(a) states that “[a] person shall be entitled to a patent . . . unless the invention was . . . described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent”. Applicant’s provisional application 60/407,513 was filed on August 28, 2002 and this application claims the benefit of that provisional patent application. Applicant’s date of invention is at least as early as 28 August 2002. August 28, 2002 is prior to the October 25, 2002 publication date of the Wills reference. Accordingly, the applicant respectfully submits that the publication by Wills is not an effective reference against applicant’s application.

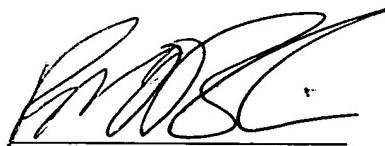
Applicant has added new claims 21 and 22. New claim 21 includes all of the limitations of claims 7 and 8. New Claim 22 adds the limitation of claim 9 to claim 21. Claim 4 has been amended to correct the above noted informality. Claims 21 and 22 are

Appl. No. 10/650,631
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intended to capture the allowable subject matter as indicated in the examiner's office action of 26 August 2005.

Applicant respectfully submits that the claims, as amended are now in proper form and define allowable subject matter. Accordingly, applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully Submitted,



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Date

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